

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

NICHOLAS CASAVELLI,)	
)	
and)	
)	
NICOLINA CASTELLI,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:13-CV-2433
)	
BRIAN J. BRITTON, et al.,)	
)	
Defendants.)	

**MOTION FOR LEAVE TO WITHDRAW AS COUNSEL
FOR PLAINTIFFS NICHOLAS CASAVELLI AND NICOLINA CASTELLI**

COMES NOW Pleban & Petruska Law, LLC, through C. John Pleban and Lynette M. Petruska, and requests leave to withdraw as counsel for Plaintiffs, Nicholas Casavelli and Nicolina Castelli, in the above-referenced matter in that certain issues have arisen such that future representation is no longer possible. Counsel certifies that the client had been notified of counsel's intent to withdraw from this case through correspondence and email communications with Plaintiffs more than thirty (30) days prior to the filing of this motion and through correspondence dated May 21, 2014, which was sent by email and regular U.S. mail to Plaintiffs and included a copy of this motion.

Because the trial of this matter has not yet been scheduled and no Case Management Order has been entered in this case, Plaintiffs will not be prejudiced by counsel's request to withdraw because Plaintiffs will have adequate time to find suitable, alternative counsel before any scheduled trial of this matter. On May 13, 2014, Plaintiffs notified undersigned counsel that they had secured new counsel, but this new counsel has not yet entered an appearance in this case so that Plaintiffs may simply substitute counsel in this case.

Undersigned counsel wishes to further advise the Court that Plaintiffs no longer reside in the State of Missouri. Therefore, if a hearing is required on this motion, undersigned counsel requests that such hearing be scheduled with sufficient advance notice that Plaintiffs will be able to make arrangements to attend such hearing should they so desire.

WHEREFORE, Pleban & Petruska Law, LLC respectfully requests leave to withdraw as counsel for Plaintiffs Nicholas Casavelli and Nicolina Castelli in the above-referenced matter and for such other and further relief as this Court deems appropriate under the circumstances.

Respectfully submitted,

PLEBAN & PETRUSKA LAW, LLC

by: /s/ Lynette M. Petruska
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Attorneys for Plaintiffs

Certificate of Service

The undersigned hereby certifies that on this 21st day of May 2014, a true and accurate copy of the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon: V. Scott Williams, Matthew J. Fairless, and John H. Kilper, 200 North Third St., St. Charles, MO 63301, attorneys for Defendants City of St. Peters, Missouri, Tim Blattel, and James West, and Timothy J. Reichardt and Andrew J. Kreighauser, 7777 Bonhomme Ave., Suite 1400, St. Louis, MO 63105, attorneys for Defendants City of Pine Lawn, Missouri and Brian J. Britton. A copy of this motion was also served by email and regular mail on May 21, 2014 upon Plaintiffs Nicholas Casavelli and Nicolina Castelli, P.O. Box 7452, Tempe, Az. 85281.

/s/ Lynette M. Petruska